

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred House Bill No. 1285, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, line 7, delete "riverboat".
- 2 Page 3, line 7, after "gaming" insert "**under IC 4-32.2, IC 4-33, and**
- 3 **IC 4-35**".
- 4 Page 3, between lines 27 and 28, begin a new paragraph and insert:
- 5 "SECTION 3. IC 4-33-3-18 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) The
- 7 governor shall appoint the executive director of the commission to
- 8 serve at the pleasure of the governor. The executive director's
- 9 compensation shall be approved annually by the governor under
- 10 IC 4-12-2.
- 11 **(b) The commission may by resolution assign to the executive**
- 12 **director any duty imposed upon the commission by this article.**
- 13 ~~(b)~~ (c) The executive director shall perform the duties assigned to
- 14 the executive director by the commission. **The executive director may**
- 15 **exercise any power conferred upon the commission by this article**
- 16 **that is consistent with the duties assigned to the executive director**
- 17 **under subsection (b).**
- 18 ~~(c)~~ (d) In addition to any salary paid under this section, the
- 19 executive director is entitled to reimbursement for traveling expenses
- 20 and other expenses actually incurred in connection with the executive

1 director's duties, as provided in the state travel policies and procedures
 2 established by the department of administration and approved by the
 3 budget agency."

4 Page 8, line 18, delete ",".

5 Page 10, between lines 37 and 38, begin a new paragraph and insert:
 6 "SECTION 14. IC 4-33-8-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The commission
 8 may issue an occupational license to an individual if:

9 (1) the individual has applied for the occupational license;

10 (2) a nonrefundable application fee set by the commission has
 11 been paid on behalf of the applicant in accordance with
 12 subsection (b);

13 (3) the commission has determined that the applicant is eligible
 14 for an occupational license; and

15 (4) an ~~annual~~ **initial** license fee in an amount established by the
 16 commission has been paid on behalf of the applicant in
 17 accordance with subsection (b).

18 (b) A licensed owner, an applicant for a riverboat owner's license,
 19 an operating agent, an applicant for an operating agent contract, or a
 20 holder of a supplier's license shall pay the application fee of an
 21 individual applying for an occupational license to work:

22 (1) at the licensed owner's or operating agent's riverboat gambling
 23 operation; or

24 (2) for the holder of a supplier's license.

25 The licensed owner, applicant for a riverboat owner's license, operating
 26 agent, applicant for an operating agent contract, or holder of a
 27 supplier's license shall pay the ~~annual~~ **initial** occupational license fee
 28 **or license renewal fee** on behalf of an employee or potential employee.

29 The licensed owner, applicant for a riverboat owner's license, operating
 30 agent, applicant for an operating agent contract, or holder of a
 31 supplier's license may seek reimbursement of ~~the an~~ application fee, ~~or~~
 32 ~~annual~~ **initial** license fee, **or license renewal fee** from an employee
 33 who is issued an occupational license.

34 (c) A license issued under this chapter is valid for one (1) year, **two**
 35 **(2) years, or (3) years** after the date of issuance **as determined by the**
 36 **commission.**

37 (d) Unless an occupational license is suspended, expires, or is
 38 revoked, the occupational license may be renewed ~~annually~~ upon:

(1) the payment of ~~an annual~~ a license **renewal** fee by the licensed owner, operating agent, or holder of a supplier's license on behalf of the licensee in an amount established by the commission; and

(2) a determination by the commission that the licensee is in compliance with this article.

(e) The commission may investigate the holder of an occupational license at any time the commission determines it is necessary to ensure that the licensee is in compliance with this article.

(f) A licensed owner, an applicant for a riverboat owner's license, an operating agent, an applicant for an operating agent contract, or a holder of a supplier's license shall pay the cost of an investigation or reinvestigation of a holder of an occupational license who is employed by the licensed owner, operating agent, or licensed supplier. The licensed owner, applicant for a riverboat owner's license, operating agent, applicant for an operating agent contract, or holder of a supplier's license may seek reimbursement of the cost of an investigation or reinvestigation from an employee who holds an occupational license."

Page 11, line 36, delete "and the operating agent contract," and insert "**subject to IC 4-33-6.5,**".

Page 13, line 30, delete "hearing" and insert "**public meeting**".

Page 13, line 32, after "cause." insert "**A public meeting held under this subsection may be conducted by the commission or the executive director.**".

Page 17, between lines 10 and 11, begin a new paragraph and insert:

"(c) A permit holder must petition the commission for its approval of any changes to a power of attorney approved by the commission."

Page 17, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 25. IC 4-35-6.5-2, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The commission may issue an occupational license to an individual if:

(1) the individual has applied for the occupational license;

(2) a nonrefundable application fee set by the commission has been paid on behalf of the applicant in accordance with subsection (b);

(3) the commission has determined that the applicant is eligible for an occupational license; and

(4) an ~~annual~~ **initial** license fee in an amount established by the commission has been paid on behalf of the applicant in accordance with subsection (b).

(b) A permit holder that is an applicant for a license under this article or that is issued a license under this article or a holder of a supplier's license under this article shall pay the application fee of an individual applying for an occupational license to work:

(1) in an occupation related to gambling games at the permit holder's racetrack; or

(2) for the holder of a supplier's license.

A permit holder that is an applicant for a license under this article or that is issued a license under this article or a holder of a supplier's license under this article shall pay the ~~annual~~ **initial** occupational license fee **or license renewal fee** on behalf of an employee or potential employee. A permit holder that is an applicant for a license under this article or that is issued a license under this article or a holder of a supplier's license under this article may seek reimbursement of the application fee, ~~or annual~~ **initial** license fee, **or license renewal fee** from an employee who is issued an occupational license.

(c) A license issued under this chapter is valid for one (1) year, **two (2) years, or three (3) years** after the date of issuance **as determined by the commission.**

(d) Unless an occupational license is suspended, expires, or is revoked, the occupational license may be renewed ~~annually~~ upon:

(1) the payment of ~~an annual~~ a license **renewal** fee by the permit holder that is issued a license under this article or the holder of a supplier's license under this article on behalf of the licensee in an amount established by the commission; and

(2) a determination by the commission that the licensee is in compliance with this article.

(e) The commission may investigate the holder of an occupational license at any time the commission determines it is necessary to ensure that the licensee is in compliance with this article.

(f) A permit holder that is an applicant for a license under this article or that is issued a license under this article or a holder of a supplier's license under this article:

- 1 (1) shall pay the cost of an investigation or reinvestigation of a
 2 holder of an occupational license who is employed by the permit
 3 holder or holder of a supplier's license; and
 4 (2) may seek reimbursement of the cost of an investigation or
 5 reinvestigation from an employee who holds an occupational
 6 license.".

- 7 Page 24, line 15, delete "hearing." and insert "**public meeting. A**
 8 **public meeting held under this subsection may be conducted by the**
 9 **commission or the executive director.**".

- 10 Page 25, line 28, delete "IC 36-8-1-9.2" and insert "IC 36-1-8-9.2".

- 11 Renumber all SECTIONS consecutively.

(Reference is to HB 1285 as reprinted February 3, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

Alting

Chairperson